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APR 23 9 45 AM 1981

ACCEPTANCE

GEORGE YERKOVICH, AUDITOR  
CITY OF PORTLAND, ORE.

BY \_\_\_\_\_

Portland, Oregon, April 23 1981

GEORGE YERKOVICH  
Auditor of the City of Portland.  
Room 202, City Hall  
Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 151425, passed by the Council April 22, 1981, amending Ordinance No. 142850, which granted a Zone Change from Washington County RU20 to City A2.5 for a portion of Lots 5 and 8, Garden Home, now designated as Tax Lots 503 and 700, Section 24, T1S, R1W; located at SW Garden Home Road, between SW 70th and 71st Avenues, under certain conditions, so as to allow an adjustment of setback lines,

and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,

LARRY BROWN, INC.

[CORPORATE  
SEAL]

\*  
*Larry Brown*  
Larry Brown, President

11855 SW Ridgecrest Dr., Beaverton, OR 97005  
Address

Approved **APPROVED AS TO FORM**

*Christopher P. Thomas*

CITY ATTORNEY

\*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

ORDINANCE NO. 151425

An Ordinance amending Ordinance No. 142850, which granted a Zone Change from Washington County RU20 to City A2.5 for a portion of Lots 5 and 8, Garden Home, now designated as Tax Lots 503 and 700, Section 24, T1S, R1W; located at S.W. Garden Home Road, between S.W. 70th and 71st Avenues, under certain conditions, so as to allow an adjustment of setback lines, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That Ordinance No. 142850, passed by Council November 24, 1976, granted a Zone Change from County RU20 to City A2.5 for a portion of Lots 5 and 8, Garden Home, now designated as Tax Lots 503 and 700, Section 24, T1S, R1W; located at S.W. Garden Home Road, between S.W. 70th and 71st Avenues, under certain conditions.
2. The deedholder, Larry Brown, Inc., seeks an amendment to the ordinance in order to allow an adjustment of setback lines.
3. The proposal to adjust the setback lines, with conditions, appears justified in that the applicant, Larry Brown, Inc., has plans which meet applicable City requirements.
4. The City's Hearings Officer, by Report and Recommendation dated March 25, 1981 (P.C. File No. 7035), after and as a result of a duly authorized and conducted public hearing held March 23, 1981, on said proposal recommends that Ordinance No. 142850 be amended so as to allow an adjustment of setback lines, with conditions to assure adequacy of setbacks within the project area. The notice requirements for that public hearing were fulfilled according to law.

NOW, THEREFORE, the Council directs:

- a. That the facts, findings, conclusions and recommendation of the Hearings Officer in P.C. File No. 7035 are adopted by City Council.
- b. Ordinance No. 142850, Condition 1 and 2 of Section 1.b., is hereby amended to read:
  - 1) No dwelling unit shall be built on Tax Lot 503 within an area of 50 feet south of the northerly property line. No required off-street parking shall be permitted within this 50 feet setback. Excess parking and easily removable equipment may be placed within the 50 feet reserve strip.
  - 2) The applicant shall agree to dedicate this 50 feet strip in fee simple to the City of Portland or other designated public body at such time as public acquisition becomes necessary for its use as a public transportation route. The applicant agrees that no compensation shall be required for such dedication. If and when the 50 feet strip is needed for the Light Rail Project, any parking and light removable recreational equipment shall be removed at the owner's expense."

**ORDINANCE No.**

Section 2. All other terms and conditons of Ordinance No. 142850 shall remain in full force and effect.

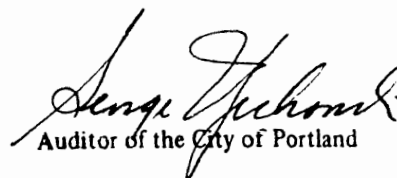
Section 3. This ordinance shall not be effective until acceptance is filed and the ordinance recorded in accordance with law.

Section 4. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety, and in order that there be no delay in the beneficial use of the property, an emergency hereby is declared to exist; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **APR 22 1981**

Commissioner Schwab  
Paul Norr/sa  
March 25, 1981

Attest:

  
Auditor of the City of Portland

Calendar No. 1221

**ORDINANCE No. 151425**

**Title**

An Ordinance amending Ordinance No. 142850, which granted a Zone Change from Washington County RU20 to City A2.5 for a portion of Lots 5 and 8, Garden Home, now designated as Tax Lots 503 and 700, Section 24, T1S, R1W; located at S.W. Garden Home, between S.W. 70th and 71st Avenues, under certain conditions, so as to allow an adjustment of setback lines, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Jordan	/	
Lindberg	/	
Schwab	—	
Strachan	/	
Ivancie	/	

FOUR-FIFTHS CALENDAR	
Jordan	
Lindberg	
Schwab	
Ivancie	

INTRODUCED BY
COMMISSIONER SCHWAB

NOTED BY THE COMMISSIONER
Affairs <i>WAS</i>
Finance and Administration
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: HEARINGS OFFICE
Prepared By: Paul Norr/sa      Date: 3/25/81
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head:

CALENDAR
Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/>

NOTED BY
City Attorney
City Auditor
City Engineer

Filed MAR 27 1981

**GEORGE YERKOVICH**  
Auditor of the CITY OF PORTLAND

By *Jordan*  
Deputy